## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:17cv28-FDW

KALVIN NATHANIEL MCBRIDE,	)	
Petitioner,	)	
vs.	)	<u>ORDER</u>
NORA HUNT, et al,	)	
Respondents.	)	
	)	

The Court has received Petitioner Kalvin Nathaniel McBride's pro se Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 (Doc. No. 1) and motion to proceed in forma pauperis (Doc. No. 2).

Federal law requires that a petitioner seeking habeas review of his state conviction and/or sentence in federal district court pay a filing fee in the amount of \$5.00 or be granted leave to proceed without prepayment of fees and costs. Rule 3(2) of the Rules Governing Section 2254 Cases in the United States District Courts requires a prisoner's habeas petition be accompanied by "a motion for leave to proceed in forma pauperis, the affidavit required by 28 U.S.C. § 1915, and a certificate from the warden or other appropriate officer of the place of confinement showing the amount of money or securities that the petitioner has in any account in the institution."

Petitioner has filed the required motion and affidavit. (Doc. No. 2.) The Court entered an Order on January 27, 2017, ordering that Respondent file the required trust account statement. (Doc. No. 3,) Due to a clerical error, the Order was mailed to Petitioner, rather than to Respondent.

## IT IS, THEREFORE, ORDERED that:

- Respondent shall provide the Court a certified copy of the prison trust account statement for inmate Kalvin Nathaniel McBride, # 0710405, covering the six (6) month period immediately preceding January 13, 2017, the date the abovecaptioned action was filed;
- 2. Respondent shall file the above requested document with the Clerk of Court within twenty-one (21) days of entrance of this Order; and
- 3. The Clerk of Court is directed to serve a copy of this Order on Respondent, at Columbus Correctional Institution, Box 8, Brunswick, NC 28424.

Signed: March 31, 2017

Frank D. Whitney

Chief United States District Judge